

**INFORMATION DISCLOSURE
STATEMENT**

Applicants:	Wasowicz
Application No.:	09/912,681
Filed:	7/24/2001
For:	Diagnostic System and Method for Phonological Awareness Testing
Group Art Unit:	
Examiner:	
Attorney Docket No.:	2100632-991121

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☒ is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; **OR**
- (c) ☐ after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, **OR**
- (d) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below **OR**
- (d) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (f) ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (g) ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed

02/05/2002 ADSMAN1 00000020 09912681

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180.00 OP

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896

Respectfully submitted,

Date: January, 2002

GRAY CARY WARE & FREIDENRICH LLP

By: _____
Reg. No. Timothy W. Lohse, Reg. No. 35,255
Attorneys for Applicant(s)
1755 Embarcadero Road
Palo Alto, CA 94304
650-320-7426

☐ Customer Number or Bar Code Label

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner of Patents & Trademarks; Washington, DC 20231.

January 23, 2002
Date


Signature

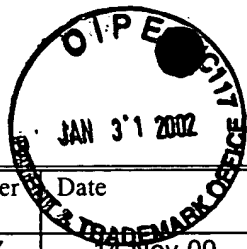


Form PTO-1449 U.S. DEPT. OF COMMERCE (modified 2/91) Patent and Trademark Office INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Attorney Docket Number: 2100632-991121	Serial Number: 09/912,681
	Applicant: Janet Wasowicz	
	Filing date: 7/24/2001	Group art unit:

U.S. PATENT DOCUMENTS

Examiner Initial	Patent number	Date	Name	Class	Sub-class	Filing date if appropriate
	4,166,452	1-Sep-79	Generales, Jr.			
	4,285,517	1-Aug-81	Morrison			
	4,363,482	1-Dec-82	Goldfarb			
	4,457,719	3-Jul-84	Dittakavi et al.			
	4,483,681	20-Nov-84	Weinblatt			
	4,770,416	1-Sep-88	Shimuzu et al.			
	4,884,972	5-Dec-89	Gasper			
	5,122,952	16-Jun-92	Minkus			
	5,149,084	22-Sep-92	Dalebout et al.			
	5,387,104	7-Feb-95	Corder			
	5,456,607	10-Oct-95	Antoniak			
	5,513,126	30-Apr-96	Harkins et al.			
	5,562,453	8-Oct-96	Wen			
	5,579,469	26-Nov-96	Pike			
	5,649,826	22-Jul-97	West et. al.			
	5,692,906	2-Dec-97	Corder			
	5,694,546	2-Dec-97	Reisman			
	5,727,950	17-Mar-98	Cook et. al.			
	5,743,743	28-Apr-98	Ho et. al.			
	5,743,746	28-Apr-98	Ho et. al.			
	5,751,953	12-May-98	Shiels et. al.			
	5,762,503	9-Jun-98	Hoo et. al.			
	5,813,862	29-Sep-98	Merzenich et al.			
	5,836,771	17-Nov-98	Ho et. al.			
	5,863,208	26-Jan-99	Ho et. al.			
	5,884,302	16-Mar-99	Ho			
	5,885,083	23-Mar-99	Ferrell			
	5,920,838	6-Jul-99	Mostow et al.			
	5,927,988	27-Jul-99	Jenkins et al.			
	5,934,909	10-Aug-99	Ho et. al.			
	5,934,910	10-Aug-99	Ho et. al.			
	5,944,530	31-Aug-99	Ho et. al.			
	5,957,699	28-Sep-99	Peterson et al.			
	5,967,793	19-Oct-99	Ho et. al.			
	6,009,397	28-Dec-99	Siegel			
	6,017,219	5-Jan-00	Adams, Jr. et al.			
	6,019,607	1-Feb-00	Jenkins et al.			
	6,074,212	13-Jun-00	Cogliano			
	6,077,085	20-Jun-00	Parry et al.			
	6,098,033	1-Aug-00	Richardson et al.			

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TC 3100 MAIL ROOM



Examiner Initial	Patent number	Date	Name	Class	Sub-class	Filing date if appropriate
	6,146,147	14-Nov-00	Wasowicz			
	6,159,014	12-Dec-00	Jenkins et al.			
	6,206,700	1-Mar-01	Brown et al.			
	6,190,173	Feb-01	Jenkins et al.			
	6,210,166	Apr-01	Jenkins et al.			
	6,123,548	Sep-00	Tallal et al.			
	6,036,496	Mar-00	Miller et al.			
	6,113,393	5-Sep-00	Neuhaus			

FOREIGN PATENT DOCUMENTS

Document number	Date	Country	Class	Sub-class	Translation	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Assessment and Instruction in Phonological Awareness, Florida Dept. of Education (1999)
	Auditory Processing Enhancement Programs, Vol. 2: Auditory Discrimination/Phonological Awareness, Academic Communication Associates (1997)
	C. Robertson et al., <i>The Phonological Awareness Test – Examiner's Manual</i> , LinguiSystems, Inc. (1997)
	C.H. Lindamood et al., <i>The LAC Test (Lindamood Auditory Conceptualization Test) Revised Edition – Manual</i> (1971)
	<i>Central Test Battery</i> , Precision Acoustics (1998)
	<i>Innerlogic Reading Edge: Educator's Guide</i> , Innerlogic Software (1998)
	J.K. Torgesen et al., " <i>Test of Phonological Awareness: Examiner's Manual</i> ", Pro-Ed, (1994)
	J.K. Torgesen et al., " <i>TOWRE – Test of Word Reading Efficiency – Examiner's Manual</i> ", Pro-Ed (1999)
	Perceive & Respond Vol. 1: Environmental Sounds – Second Edition, Academic Communication Associates (1997)
	Perceive & Respond Vol. 2: Listening for Auditory Differences – Second Edition, Academic Communication Associates (1997)
	Perceive & Respond Vol. 3: Auditory Sequential Memory – Second Edition Academic Communication Associates (1997)
	<i>Phonemic Awareness in Young Children: A Classroom Curriculum</i> , Chapter 10 by Paul H. Brookes Publishing Co. (1998)
	R. Haaf et. al., "Computer-Based Language Assessment Software: The Effects of Presentation and Response Format", <i>Language, Speech, and Hearing Services in Schools</i> , Vol. 3, pp 68-74 (1999)
	R.K. Wagner et al., " <i>CTOPP – Comprehensive Test of Phonological Processing – Examiner's Manual</i> ", Pro-Ed (1999)
	Laura I. Goin et al., "Simon Sounds It Out, The Friendly way to build letter-sound connections", Don Johnston, 1996

Examiner:	Date Considered:
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

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JAN 31 2002

PTO/SB/17 (10-01)

FEE TRANSMITTAL **for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known

Application Number	09/912,681
Filing Date	July 24, 2001
First Named Inventor	Janet M. Wasowicz
Examiner Name	K. Christman
Group Art Unit	3713
Attorney Docket No.	2100632-991121

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 07-1896
Deposit Account Name: Gray Cary Ware & Freidenrich

☒ Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0.00)

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims		X	
Independent Claims		X	
Multiple Dependent	X		

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	80	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	180
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

SUBMITTED BY

Name (Print/Type)

Timothy W. Lohse

Registration No.
(Attorney/Agent)

35,255

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Telephone

650-320-7426

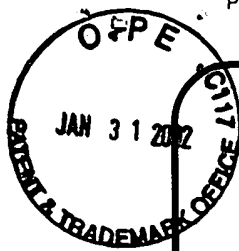
Signature

Date

January __, 2002

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/912,681	
	Filing Date	July 24, 2001
	First Named Inventor	Janet M. Wasowicz
	Group Art Unit	3713
	Examiner Name	K. Christman
Attorney Docket Number	2100632-991121	
Total Number of Pages in This Submission		

<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.) <input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment with Appendix A attached (13 pgs.) After Final	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request (1 pg.)	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Information Disclosure Statement w/Information Disclosure Citation (4 pgs.)	<input type="checkbox"/> Associate Power of Attorney,	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	Attachments to IDS: 4 U.S. Patents and 15 Articles; Check #499451 for \$180.00; Return Postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	
	<input type="checkbox"/> Request for Refund	
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Timothy W. Lohse (Reg. No. 35,255) Gray Cary Ware Freidenrich LLP
Signature	
Date	January __, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box No-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231

Typed or printed name	Cathy Pittman	Date	January 23, 2002
Signature			